

**SUPREME COURT MINUTES
MONDAY, OCTOBER 31, 2011
SAN FRANCISCO, CALIFORNIA**

S183372 B215837 Second Appellate District, Div. 3 **SERRANO (PORFIRIO) v.
STEFAN MERLI
PLASTERING CO.,
INC./(COAST COURT
REPORTERS)**

Opinion filed: Judgment reversed

Because neither the Court of Appeal nor the trial court considered whether plaintiffs satisfied the other elements required for a fee award under section 1021.5, we reverse and remand with directions to the Court of Appeal to instruct the trial court to determine anew whether plaintiffs are entitled to recover private attorney general fees.

Majority Opinion by Corrigan, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Werdegarr, Chin, and Liu, JJ.

Dissenting Opinion by Kennard, J.

S184212 D054343 Fourth Appellate District, Div. 1 **PEOPLE v. VANG (XUE)**

Opinion filed: Judgment affirmed in full

Although the Court of Appeal erroneously found error, it also found the error harmless. Accordingly, it reached the correct result. For this reason, we affirm the judgment.

Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Corrigan, and Liu, JJ.

Concurring Opinion by Werdegarr, J.

S197572 B236853 Second Appellate District, Div. 5 **NORDSTROM, INC. v. S.C.
(STATE OF CALIFORNIA)**

Petition for review & application for stay denied

S195575 B229472 Second Appellate District, Div. 3 **IN RE WENDY C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 7, 2011.

S195691 C062339 Third Appellate District

**PEOPLE v. COLLINS
(ROBERT ANDREW)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 6, 2011.

S195839 B219280 Second Appellate District, Div. 8

**PEOPLE v. KELLEY
(DEREK)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 9, 2011.

S195874 B225259 Second Appellate District, Div. 4

**PEOPLE v. ARIAS (CIRILO
ESCOBAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2011.

S196121 C060503 Third Appellate District

**PEOPLE v. DELONEY
(DEANDRE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 6, 2011.

S196188 H033833 Sixth Appellate District

**PEOPLE v. THOMAS
(TOMMY EUGENE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 5, 2011.

S196194 B217883 Second Appellate District, Div. 2

**PEOPLE v. ZAPATA
(GABRIEL RIVEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 5, 2011.

S196196 F060753 Fifth Appellate District

**PEOPLE v. VASQUEZ
(EDUARDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 15, 2011.

S196197 B220553 Second Appellate District, Div. 5 **PEOPLE v. SMITH
(EDWARD)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 6, 2011.

S196203 H035467 Sixth Appellate District **THOMAS (TOMMY
EUGENE) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 5, 2011.

S196207 B227588 Second Appellate District, Div. 5 **PEOPLE v. KING (JAMES
ROY)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 9, 2011.

S196233 F060980 Fifth Appellate District **IN RE HECTOR P.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 6, 2011.

S196275 B226457 Second Appellate District, Div. 6 **PEOPLE v. CRUZ, JR.,
(AUGUSTINE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 7, 2011.

S196294 B225257 Second Appellate District, Div. 3 **PEOPLE v. MARTIN (JASON)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 8, 2011.

S196308 E051068 Fourth Appellate District, Div. 2 **PEOPLE v. THURBER
(DOUGLAS MARK)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 8, 2011.

S196354 E047555 Fourth Appellate District, Div. 2 **PEOPLE v. BOYKINS (JAMES EARL)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2011.

S196365 D057570 Fourth Appellate District, Div. 1 **PEOPLE v. BRYANT (AMALIA CATHERINE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 12, 2011.

S196397 E049127 Fourth Appellate District, Div. 2 **PEOPLE v. ZAPETA (WILLMAN ALEXANDER)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 12, 2011.

S196423 D057830 Fourth Appellate District, Div. 1 **PEOPLE v. MARTINEZ (RAUL DANIEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 9, 2011.

S196426 E049484 Fourth Appellate District, Div. 2 **PEOPLE v. CALDERON (MICHAEL ANDREW)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 13, 2011.

S196447 B225741 Second Appellate District, Div. 7 **PEOPLE v. CHACON (ANDRES)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 15, 2011.

S196451 B220777 Second Appellate District, Div. 5 **PEOPLE v. JONES (SANDRA JEAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2011.

S196463 B219857 Second Appellate District, Div. 2 **PEOPLE v. HIGGINS
(JONATHAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2011.

S196471 F059205 Fifth Appellate District **PEOPLE v. ANDERSON
(BRUCE LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2011.

S196502 H037138 Sixth Appellate District **MACY (DANIEL JAMES) v.
S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 15, 2011.

S196514 D057192 Fourth Appellate District, Div. 1 **PEOPLE v. SUTTON (MANNI
ALONZO)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 15, 2011.

S055652 **PEOPLE v. FUIAVA
(FREDDIE)**

Order filed

Appellant's "Motion for Leave to File a Supplemental Brief in a Capital Case in Excess of 2800 Words" is granted. Any response must be served and filed on or before November 8, 2011. Any reply must be served and filed on or before November 18, 2011.

S166350 D049331 Fourth Appellate District, Div. 1 **BRINKER RESTAURANT
CORPORATION v. S.C.
(HOHNBAUM)**

Request for judicial notice granted

Petitioners' request for judicial notice, filed April 30, 2009, is granted.

Real parties' in interest requests for judicial notice, filed August 29, 2008, January 20, 2009, April 20, 2009, and July 20, 2009, are each granted.

Amicus curiae California Labor Federation's request for judicial notice, filed July 30, 2009, is granted.

Amicus curiae California Employment Lawyers Association and the Consumer Attorneys of California's request for judicial notice, filed August 18, 2009, is granted.

Amicus curiae DLSE's request for judicial notice, filed August 19, 2009, is granted.
Amicus curiae Employers Group et al.'s request for judicial notice, filed August 19, 2009, is granted in part as to items 3-5 and denied in part as to items 1-2.

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**CALIFORNIA
REDEVELOPMENT
ASSOCIATION v.
MATOSANTOS (ANA)**

Request for judicial notice granted

Respondent Ana Matosantos's request for judicial notice, filed September 9, 2011, is granted.
Petitioners' motion for judicial notice, filed September 23, 2011, and supplemental motion for judicial notice, filed October 7, 2011, are each granted.

Amicus curiae California Teachers' Association's request for judicial notice, filed October 3, 2011, is granted in part as to exhibits D through L, and denied in part as to exhibits A, B, and C.
Amicus curiae California Professional Firefighter's request for judicial notice, filed October 3, 2011, is granted.

Amicus curiae Community Redevelopment Agency of the City of Los Angeles et al.'s motion for judicial notice, filed October 3, 2011, is granted.

Amicus curiae City of Cerritos et al.'s motion for judicial notice, filed October 5, 2011, is granted.